

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Favio T. Rodríguez Velázquez, Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, hereinafter referred to as "ATF", being duly sworn, depose and state as follows:

1. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States empowered by law to conduct investigations and make arrests upon violations of the offenses enumerated in Title 18, United States Code, Section 2516.

2. I am a Task Force Officer with the ATF in San Juan, Puerto Rico, and have been so for the past seven (7) years. Prior to becoming a Task Force Officer, I worked over twenty-two (22) years as an Internal Revenue Agent for the Puerto Rico Treasury Department (Departamento de Hacienda).

3. I am currently assigned to the ATF High Intensity Drug Trafficking Area (HIDTA) group. As part of the HIDTA Group, I conduct investigations of drug trafficking, firearms, and narcotics violations. I have specialized training and/or experience in the area of high-level drug enforcement, street-level drug enforcement, narcotics smuggling and distribution, gangs, undercover operations, surveillance and debriefing informants and suspects.

4. All reference herein to any experience refers to experience gained through training, conducting firearms and controlled substances investigations, and participating in those investigations with other experienced investigators, as well as conversations with other law enforcement officers.

5. I am personally familiar with the facts and circumstances surrounding this investigation and with the information contained in this Affidavit, either through personal participation investigation or through discussions with other law enforcement officers and other ATF TFO with personal knowledge of the facts. Since this affidavit is submitted only for the limited purpose of securing the warrant sought, I have not set forth every fact known to me concerning this investigation. I have included what I believe are the facts sufficient to establish probable cause for the warrant sought.

6. Based on my training and experience and the facts set forth below in this affidavit, there is probable cause to believe Kevin MENENDEZ-RODRIGUEZ violated Title 18 U.S.C. § 922(o), 18, U.S.C. § 924(c)(1)(C)(ii), and Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C) and that Melissa LORENZANA-PAGAN violated Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C)

FACTS SUPPORTING PROBABLE CAUSE

7. On February 3, 2025, agents of the Puerto Rico Police Bureau (PRPB) received information from a confidential informant that, in the V&B Apartments, in Barceloneta Puerto Rico, building A apartment 15, was used to store the narcotics and firearms by an individual known as Kevin MENENDEZ-RODRIGUEZ. The confidential informant provided a description of the MENENDEZ- RODRIGUEZ and that the vehicle used by MENENDEZ- RODRIGUEZ was a gray Toyota Camry bearing Puerto Rico license plate JWF-285 (hereinafter "Camry").

8. On February 3, 2025, at approximately 2:00 p.m., the PRPB agents conducted a surveillance of building A apartment 15 and observed a gray, four doors, Toyota bearing Puerto Rico license plate JWF-285 parked in front of building A. During the surveillance PRPB Agents observed an individual that matched the description provided for MENENDEZ-RODRIGUEZ exiting apt. 15 through a door in the balcony and walked to the Camry and left V&B Apartments.

9. On February 4, 2025, at approximately 10:30am, PRPB Agents conducted a second surveillance of building A apartment 15. At approximately 10:39, PRPB agents observed MENENDEZ-RODRIGUEZ arrived in the Camry.

10. PRPB Agents observed MENENDEZ-RODRIGUEZ wasn't wearing a shirt and that on the right side of his waistband had a black firearm with a blue ribbon on the grip, MENENDEZ RODRIGUEZ open the driver rear door and picked up a clear bag containing white powder, based on PRPB agents experience was cocaine, and walked to building A apartment 15 and entered apartment 15

11. On February 5, 2025, at approximately, at approximately 2:25 p.m., a PRPB Agent conducted a third surveillance of building A apartment 15. At approximately 2:39 p.m. PRPB Agents observed MENENDEZ-RODRIGUEZ exit apartment 15 with a clear bag containing white powder, based on PRPB agents experience was cocaine. MENENDEZ-RODRIGUEZ walked to the Camry opened the driver rear door, placed the clear bag on the seat, closed the door got in the Camry and drove away.

12. On February 11, 2025, at approximately 8:55 a.m., a PRPB agents executed a search warrant on V&B Apartments building A apartment 15.

13. RPB Agents proceeded with a knock and announce before entering the apartment. PRPB Agents encountered in the apartment MENENDEZ-RODRIGUEZ and Melissa LORENZANA-PAGAN provided copy of the search warrant and, PRPB agent conducted the search of the apartment.

14. PRPB Agents seized from the Master bedroom closet the following evidence:
- One (1) extended capacity double drum 9mm caliber magazine.
 - One (1) extended capacity drum 9mm caliber magazine.
 - Two (2) Glock magazines (one 22 round extended capacity .40 caliber and one 7 round capacity .45 caliber.
 - One Guess satchel

15. From inside the Guess satchel agents seized the following evidence:

- One hundred (100) Ziplock baggies containing white powdery substance (field-tested positive for fentanyl and cocaine)
- Forty-three (43) plastic vials with orange caps containing white rocky substance (field-tested positive for cocaine)
- Twenty-five (25) baggies containing green leafy substance (field-tested positive for marijuana)
- Twenty-two (22) oval containers containing green leafy substance (field-tested positive for marijuana)
- Thirty (30) pink foil decks of heroine

16. From inside a dresser the following evidence was seized:

- One clear bag with white powder.

17. A black Samsung cellphone was seized from the bed.

18. PRPB Agents also executed a search warrant for the Camry at approximately 11:05 am. PRPB Agent seized from the Toyota the following evidence:

- One (1) Glock black and green, model 19 Gen 4, 9mm S/N: BFNR584, loaded with a 17 round capacity magazine with 16 round of ammunition (found under the driver seat).
- One round of 7.62 caliber rifle ammunition (found in the driver door compartment).

19. The investigation further revealed that no firearms or ammunition, including the type described above, are manufactured in Puerto Rico and therefore, the investigation concluded that the firearm had been shipped or transported in interstate or foreign commerce.

20. Furthermore, ATF Agents examined the firearm and observed that it had an automatic conversion device installed on the slide, commonly known as a "chip". Based on my training, knowledge and experience with ATF, the chip on the Glock pistol S/N: BFNR584 was not installed by the manufacturer and was placed on the firearm with the sole purpose of illegally modifying it to fire fully automatic, meaning that it could expel more than one shot, without manual reloading, by a single function of the trigger. The chip can be readily observed by anyone who loads, unloads, charges, cleans, or disassembles the firearm because there is a high contrast between the chip and the slide of the firearm.



21. A dry field test preliminarily determined that the Glock pistol S/N: BFNR584 is capable of firing more than one round with a single function of the trigger, making it a machinegun.

CONCLUSION

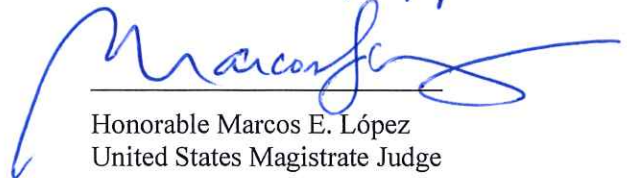
22. Based on my training and experience and the facts set forth below in this affidavit, there is probable cause to believe Kevin MENENDEZ-RODRIGUEZ violated Title 18 U.S.C. § 922(o), 18, U.S.C. § 924(c)(1)(C)(ii), and Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C) and that Melissa LORENZANA-PAGAN violated Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C)

23. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge this February 12, 2025.



Favio T. Rodríguez Velazquez
Task Force Officer
Bureau of Alcohol, Tobacco,
Firearms and Explosives (ATF)

Sworn in accordance with FRCP 4.1 at 4:38^{PM} on the 12th day of February of 2025, by phone.



Honorable Marcos E. López
United States Magistrate Judge
District of Puerto Rico